

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Theresa A. Hill,

Civil 10-4170 PJS/FLN

Plaintiff,

v.

O R D E R

Michael J. Astrue, Commissioner  
of Social Security,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated November 4, 2011, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's motion for summary judgment [#14] is GRANTED;
2. The case is remanded pursuant to sentence four of 42 U.S.C. §405(g) for further proceedings consistent with the Report and Recommendation;
3. Defendant's motion for summary judgment [#22] is DENIED; and
4. The case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: 11/23, 2011

s/Patrick J. Schiltz

Patrick J. Schiltz

United States District Judge